

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shigeru SHIRAI

Group Art Unit : 3751

Appl. No. : 10/525,770

Examiner : KHOA D. HUYNH

Filed : February 28, 2005

Confirmation No. : 9878

For : SANITARY WASHING APPARATUS

RESPONSE TO ELECTION REQUIREMENT WITH TRAVERSE

Commissioner for Patents

U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Arlington, VA 22314

Sir:

In response to the Examiner's Election of Species Requirement of April 23, 2007, setting forth a one month period for response extending until May 23, 2007, Applicant elects, with traverse, the species identified by the Examiner as Species I (figure 1), for the reasons expressed below. Further, if any extension of time is necessary, this is an express request for any necessary extension of time and authorization to charge any required extension of time fee or any other fees which may be required to preserve the pendency of the present application to Deposit Account No. 19-0089.

Initially, Applicant notes that Figures 1-9 illustrate a sanitary washing apparatus according to a first embodiment (see, "Brief Description of the Drawings" beginning on page 28 of the Specification). Claims 1-5, 8, 14-16, 31, 32 and 34-37 are considered to be "readable" on the invention of Species I; and claim 1 appears to be generic.

Applicant respectfully traverses the Election of Species Requirement. Although the Examiner's Official Action appears to identify different embodiments of the claimed invention, Applicant respectfully requests that all of the claims in the instant application be examined, pursuant to the guidelines set forth in MPEP § 803. That is, the Examiner is respectfully requested to reconsider the requirement and find that there would not appear to be a "serious burden" on the Patent and Trademark Office in examining claims directed to the nonelected invention since the search for the inventions identified by the Examiner would be coextensive or at least significantly overlap. It appears that if the Examiner were to perform a search for the embodiment of Species I, there would not be a serious burden in examining the other embodiment, especially since all of the claims are directed to a sanitary washing apparatus.

Because the search of each of the inventions would be coextensive, it would be no serious burden on the Examiner to examine all of the claims in the application. For this reason, and consistent with office policy as set forth in MPEP § 803, Applicant respectfully requests that the Examiner reconsider and withdraw the Election of Species Requirement.

For the foregoing reasons, it is submitted that the Election of Species Requirement in this application is improper and it is respectfully requested that it be reconsidered and withdrawn.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Shigeru SHIRAI


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May 23, 2007
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